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11

12 UNITED STATES DISTRICT COURT
13 EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION
14

15 SAMISONI VIRIVIRI,
16 Plaintiff,

17 vs.

18 AFFINITY DEFAULT SERVICES, LLC,
19 MR. COOPER MORTGAGE, U.S. BANK,
N.A., NATIONSTAR MORTGAGE LLC,
20 BANK OF AMERICA, N.A. and DOES 1
through 25,

21 Defendants.
22

Case No. 2:20-cv-00471-TLN-AC

**ORDER FOR DISMISSAL WITH
PREJUDICE AND FOR ENTRY OF
JUDGMENT AGAINST PLAINTIFF**

23 Upon consideration of the *ex parte* application (the “Application”) of defendant, Bank of
24 America, N.A. (“BANA” or “Defendant”) based on the stipulation and agreement with plaintiff,
25 Samisoni Viriviri (“Viriviri” or “Plaintiff”) together with other named defendants, Nationstar
26 Mortgage LLC d/b/a Mr. Cooper (“Nationstar”) and U.S. Bank, N.A., as Trustee for Merrill Lynch
27 Mortgage Investors Trust, Mortgage Loan Asset-Backed Certificates, Series 2006-AR1 (“U.S.
28 Bank”), for an order vacating the order and judgment dismissing this Action without prejudice,

1 pursuant to Fed. Rule Civ. Pro. 60(b), and requesting that the Court enter an order dismissing the
2 Action with prejudice and enter a new judgment of dismissal against Plaintiff with prejudice, (the
3 “Stipulation”).

4 The Court being fully advised and based on the Stipulation,

5 IT IS THEREFORE ORDERED THAT:

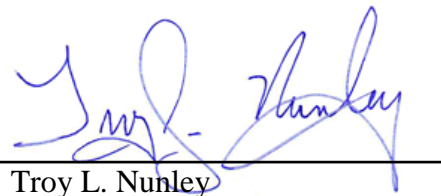
6 1. The order and judgment entered October 5, 2020 pursuant to which the Action was
7 dismissed without prejudice are hereby vacated;

8 2. The entire action is hereby dismissed with prejudice as to all parties and all claims
9 for relief.
10

11 IT IS FURTHER ORDERED THAT, Judgment with prejudice shall be entered in
12 accordance with this Order against plaintiff, Samisoni Viriviri (“Plaintiff”) and in favor of
13 defendants, Bank of America, N.A. (“BANA”), Nationstar Mortgage LLC d/d/a Mr. Cooper
14 (“Nationstar”), and U.S. Bank, N.A., as Trustee for Merrill Lynch Mortgage Investors Trust,
15 Mortgage Loan Asset-Backed Certificates, Series 2006-AR1 (“U.S. Bank”).
16

17 IT IS SO ORDERED.

18 DATED: August 30, 2021



Troy L. Nunley
United States District Judge